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Resolution #55-2012

**GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
ORDINANCE AMENDMENT #**

Ordinance Amendment offered by Supervisor Jack Martinson

WHEREAS, the previous Mining Oversight and Local Impact Committee amended the County Code to allow for a representative of the Town where exploration, prospecting or mining was taking place to be a voting member of the Committee; and

WHEREAS, the true intent of the previous mining committee was to allow a representative from the Town to be voting member when exploration, prospecting or mining was *proposed* (emphasis added) or taking place;

WHEREAS, recently the scrivener's error was discovered and the representative from the Town of Lynne is now not able to vote as intended by the previous committee; and

WHEREAS, the County code needs to be amended in order to effectuate the true intent of the previous Mining Oversight and Local Impact Committee.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS
DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 2.39 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

2.39 FORESTRY, LAND, AND OUTDOOR RECREATION COMMITTEE. (Rep. & recr. #55-2011)

This Committee shall:

- (1) Perform all functions necessary to administer Ch. 14 of this General Code.
- (2) Act as the Mining Oversight/Local Impact Committee and perform the following duties:

- (a) Act as a liaison between the County Board and the Conservation & UW-EX Committee, Administration Committee, and Planning and Zoning Committee in all matters pertaining to mineral exploration, prospecting, mining and reclamation of mineral resources located in the County. Such liaison responsibility shall not be in place of the continuing responsibilities of the above identified committees in their primary areas of jurisdiction which shall continue.

- (b) Act as the County's local impact committee pursuant to §293.33, Wis. Stats.

1. The Committee shall act as the County's Local Impact Committee for the purposes identified in §293.33, Wis. Stats., except that in carrying out such purposes, the Committee shall not proceed without the approval of the committees identified in sub. (1) above in their primary areas of jurisdiction which shall continue.

2. The Committee or its designees from the Committee may serve

52 on a joint committee under §293.33, Wis. Stats., and consistent
53 with its responsibility for carrying out the purposes referred to
54 above, the Committee or its designees from the Committee may
55 submit requests for funds as authorized by §293.33, Wis. Stats.
56 (Am. #62-93)

57 3. From time to time the Committee may seek authorization from the
58 County Board to include ex officio nonvoting members as
59 manpower, health, protective or service agencies school districts
60 or environmental and other interest groups or other interested
61 parties who, upon approval by the County Board, shall be entitled
62 to per diem and expenses as permitted by §3.10 of this General
63 Code.

64 (c) Act as the lead committee in the preparation of applications for funding
65 assistance from whatever source, subject to final review and approval of
66 the County Board.

67 (d) In conjunction with the recommendation of the primary committee of
68 jurisdiction, recommend to the County Board contracts for professional
69 services which, upon the review and approval of the County Board, may
70 be provided to the County Board and the primary committee of
71 jurisdiction.

72 (e) Ex officio nonvoting members of this Committee shall include the
73 Planning and Zoning Administrator, Forestry Administrator, University
74 Extension Community Resource Development Agent, a designee of the
75 Economic Development Corporation.

76 (f) A designee of any town in which mineral exploration, prospecting mining
77 or reclamation is proposed or is taking place shall be a voting member of
78 the committee. This designee shall be entitled to per diem and mileage at
79 the current County rate for each meeting attended and not reimbursed
80 from any other source. This member shall be a voting member of the
81 committee for mining agenda items only.

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85 Approved by Supervisor Jack Martinson this _____ day of _____, 2012.

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87 Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority =

88 _____
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90 The County Board has the legal authority to adopt: Yes _____ No _____ as
91 reviewed by the Corporation Counsel, _____, Date:
92 _____

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95 Offered and passage moved by: _____
96 Supervisor

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99 Seconded By: _____
100 Supervisor

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_____ Ayes

_____ Nays

_____ Absent

_____ Abstain

_____ Enacted

by the County Board of Supervisors this ____ day of _____, 2012.

_____ Defeated

Mary Bartelt, County Clerk

Ted Cushing, County Board Chair